

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                             |   |                        |
|-----------------------------|---|------------------------|
| IN RE: MICHAELLE ANN MONTO  | : | CHAPTER 13             |
| Debtor                      | : |                        |
|                             | : |                        |
| JACK N. ZAHAROPOULOS        | : |                        |
| STANDING CHAPTER 13 TRUSTEE | : |                        |
| Movant                      | : |                        |
|                             | : |                        |
| vs.                         | : |                        |
|                             | : |                        |
| MICHAELLE ANN MONTO         | : |                        |
| Respondent                  | : | CASE NO. 5-23-bk-01190 |

**TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN**

AND NOW, this 17th day of July, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor's plan for the following reason(s):

1. Failure to properly state the liquidation value in Section 1B of the plan.
2. Debtor's plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:
  - a. Automobile – The Trustee requests proof of value of the 1967 Chevy Camero listed on Schedule B, as well as all items listed on SOFA #18.
  - b. Estate of Scott Monto.
3. The Trustee avers that debtor's plan is not feasible based upon the following:
  - a. The plan is underfunded relative to claims to be paid.
4. The Trustee requests copies of all bank statements – June, 2022 through May, 2023.

WHEREFORE, Trustee alleges and avers that debtor's plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 25<sup>th</sup> day of July, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Jason Provinzano, Esquire  
16 W. Northampton Street  
Wilkes Barre, PA 18701

/s/Deborah A. DePalma  
Office of Jack N. Zaharopoulos  
Standing Chapter 13 Trustee